

CORRECTED FISCAL NOTE

SB 3869 - HB 3987

March 24, 2006

SUMMARY OF BILL: Creates a new Class E felony offense to knowingly take any telecommunication device into a penal institution.

ESTIMATED FISCAL IMPACT:

On March 11, 2006, we issued a fiscal note which indicated *an increase in state expenditures of \$32,900/Incarceration**. Based on the additional information provided to us, the estimated fiscal impact of this bill is:

(CORRECTED)

Increase State Expenditures - \$32,900 / Incarceration*

(Funding of \$27,400 is included in the Governor's FY06-07

Recommended Budget)

Assumptions:

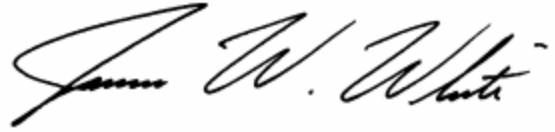
- According to the U.S. Census Bureau, population growth in Tennessee has been 1.09 percent per year for the past 10 years, yielding a projected compound population growth of 13.6% over the next ten years.
- Five persons will be convicted of Class E felony offenses for taking telecommunication devices into a penal institution in the first year. Population growth of 1.09 percent per year will result in one additional offender charged with this Class E felony offense in the tenth year as a result of this bill. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on six offenders serving 0.3 years.
- Six offenders will serve 0.3 years. According to the Department of Correction, the average operating cost per inmate per day for calendar year 2006 is \$50.02. The cost per inmate is \$5,481.19 (\$50.02 x 109.58 days). The total operating cost is \$32,887.14 (\$5,481.19 x 6).

**Tennessee Code Annotated, Section 9-4-210, TCA, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

SB 3869 - HB 3987 (CORRECTED)

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director